

SEP 10 2008

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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

ARMANDO VASQUEZ-IBARRA,

Defendant - Appellant.

No. 06-10602

D.C. No. CR-06-00554-ROS

MEMORANDUM^{*}

Appeal from the United States District Court
for the District of Arizona
Roslyn O. Silver, District Judge, Presiding

Submitted September 8, 2008^{**}

Before: TASHIMA, SILVERMAN and N.R. SMITH, Circuit Judges.

Armando Vasquez-Ibarra appeals from his guilty-plea conviction and 46-month sentence for illegal reentry after deportation, in violation of 8 U.S.C.

^{*} This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

^{**} The panel unanimously finds this case suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

§ 1326(a). Pursuant to *Anders v. California*, 386 U.S. 738 (1967), Vasquez-Ibarra's counsel has filed a brief stating there are no grounds for relief, along with a motion to withdraw as counsel of record. We have provided the appellant the opportunity to file a pro se supplemental brief. No pro se supplemental brief or answering brief has been filed.

We dismiss in light of the valid appeal waiver. *See United States v. Nguyen*, 235 F.3d 1179, 1182 (9th Cir. 2000) (stating that an appeal waiver is valid when it is entered into knowingly and voluntarily).

Accordingly, counsel's motion to withdraw is **GRANTED**, and the appeal is **DISMISSED**.